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EHS NEWSLETTER

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Global EHS and
Sustainability
Consultants

- Tracking of Environmental, Health, Safety and Energy Legislations in China
- The Latest Information on National and Local Legislation Update and Legislative Initiatives.



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Highlight in this Issue

Guideline of Green Manufacturing Standard System Establishment

China formed a target to stablish a Green Manufacturing Standard System as to: by the year 2020, create a batch of basic and key standards and conduct trial implementations to form a sound Green Manufacturing Standard System; by the year of 2025, apply the green manufacturing standards to all industries to form a complete Green Manufacturing Standard System.



Measures on Publicity of Significant Labor Security Violations

According to the measures, significant labor security violations identified by MHRSS will be made available to the public. Detailed information of the entity will be revealed, by means of official website of MHRSS as well as major papers and TV media.



Jiangsu Interim Administrative Measures on Outsourcing Project Safety of Industrial and Trading Enterprises

It is stipulated in the Measures that in the cases of outsourcing projects of industrial and trading enterprises, the client shall bear the obligation as the main body while the contractor takes the direct responsibility of the operation field work safety.



Liaoning Interim Measures on Closure Approval of Significant Work Safety Incidents

It is specified in the Measures that in the cases of significant work safety incidents, the provincial work safety supervisory bureau, public security department, federation of trade unions, along with people's procuratorate and relevant specialist will participate in the incident investigation and closure approval. The closure notification will include the requirements on responsibility prosecution and incident prevention measures. And the incident handling situation will be revealed to the public upon closure.



Measure on Filing of EIA Registration Forms of Construction Project (draft)

For now, EIA registration forms need to go through four steps: acceptance, examination, disclosure and approval. Once the draft comes into effect, the forms will only need filing at EPB official websites. Enterprises may print the filing registration forms and receipts online.





Part 1

National Legislation Update

Chinese Name	绿色制造标准体系建设指南
English Translation	Guideline of Green Manufacturing Standard System Establishment
Issuance Number	工信部联节（2016）304号
Issued By	工业和信息化部
Issued Date	2016-09-07
Effective Date	2016-09-07
Chinese URL	http://www.gxjnjc.gov.cn/ShowNewsServlet?newId=1727

Brief Introduction: China formed a target to establish a Green Manufacturing Standard System as to: by the year 2020, create a batch of basic and key standards and conduct trial implementations to form a sound Green Manufacturing Standard System; by the year of 2025, apply the green manufacturing standards to all industries to form a complete Green Manufacturing Standard System. During the process, standards of green products, green factories, green enterprises, green industrial parks and green supply chains shall be the key points.



The Guideline specified the general requirements, fundamental principles, structure model, establishment target, key areas, key standards and supporting measures for the system. To combine the standardization theories with the green manufacturing targets, the guideline specified the framework of the Green Manufacturing Standard System and classified the standards into 7 categories of comprehensive basis, green products, green factories, green enterprises, green industrial parks, green supply chains and green assessment and services. The purpose is to establish an efficient, clean, low-carbon and recyclable green manufacturing system and promote the industries to achieve green upgrades.

Chinese Name	重大劳动保障违法行为社会公布办法
English Translation	Measures on Publicity of Significant Labor Security Violations
Issuance Number	人力资源和社会保障部令第29号
Issued By	Ministry of Human Resources and Social Security
Issued Date	2016-09-01
Effective Date	2017-01-01
Chinese URL	http://www.mohrss.gov.cn/gkml/xxgk/201609/t20160909_246849.html

Brief Introduction: According to the measures, any of the following occasions identified by MHRSS will be publicized to the public:

- Dock wages or default workers' payment up to a considerable amount; refuse workers' payment and adjudged with criminal charges;
- Evasion of social security liabilities and payment in cases of gross violation;
- Violation of working hours and rest regulations in cases of gross violation;
- Violation of special protection of female and underage workers in cases of gross violation;
- Violation of child labor prohibition regulations;
- Labor security violation leading to severe public impact;
- Other significant labor security violation.

The following information will be revealed to public in the cases of labor security violation publicity (information involving state secrets, business secrets and individual privacy will be concealed):

- The full name, social credit code (or registration number) and address of the entity;
- Name of the legal representative or person in charge;
- Malfeasance of the violation;
- Corresponding punishment.

The publicity will be on the official website of MHRSS as well as major papers and TV media.



Chinese Name	放射性物品道路运输管理规定
English Translation	Administrative Measures on Road Transportation of Radioactive Substances
Issuance Number	交通运输部令2016年第71号
Issued By	Ministry of Transport
Issued Date	2016-09-02
Effective Date	2016-09-02
Chinese URL	http://zizhan.mot.gov.cn/zfxxgk/bnssj/zcfigs/201609/t20160920_2090187.html

Brief Introduction: This is a minor revision of the 2010 edition. A few simplifications were made on Article 7 regarding the requirements of special vehicle and equipment used for radioactive substances transportation. Additionally, in Article 10, the 'vehicle technical inspection certificate' was phased out. Thus, the corresponding punishment was called off.

Chinese Name	船舶行业规范企业监督管理办法
English Translation	Administrative Measures on Supervision of Standard Enterprises of Watercraft Industry
Issuance Number	业和信息化部公告2016年第45号
Issued By	Ministry of Industry and Information Technology
Issued Date	2016-09-05
Effective Date	2016-10-01
Chinese URL	www.miit.gov.cn/n1146295/n1652858/n1652930/n3757018/c5242548/content.html

Brief Introduction: The measures are applicable to the declared standard enterprises of watercraft industry on the administrative matters and procedures of supervisory inspection, alteration, rectification and announcement revocation.

Part 2 Local Legislation Update

Chinese Name	上海市危险化学品安全管理办法
English Translation	Shanghai Administrative Measures on Hazardous Chemical Safety
Issuance Number	上海市人民政府令第44号
Issued By	Shanghai People's Government
Issued Date	2016-09-05
Effective Date	2017-01-01
Chinese URL	http://www.shanghai.gov.cn/nw2/nw2314/nw2319/nw12344/u26aw49622.html

Brief Introduction: The measures were in high accordance with the reversion draft issued on April 29. It is specified in the measures that, existing enterprises that manufacture and store hazardous chemicals will be moved into centralized industrial areas gradually. New construction projects related to hazardous chemicals should be built in these industrial areas except for gas stations and port construction projects. The centralized area will be evaluated for safety risks every 3 years. A digital information and supervision platform will be established to gather the information on the manufacture, storage, sale, use, transport and disposal of the hazardous chemicals. Moreover, a credit system for enterprises is another change that will make it more costly for the enterprises that violate the regulations. Every enterprise that violates the hazardous chemical regulations will be listed in the system, which is accessible to the public.





Chinese Name	江苏省工贸行业企业外包项目安全管理暂行办法
English Translation	Jiangsu Interim Administrative Measures on Outsourcing Project Safety of Industrial and Trading Enterprises
Issuance Number	苏安监〔2016〕146号
Issued By	Jiangsu Administration of Work Safety
Issued Date	2016-08-17
Effective Date	2016-08-17
Chinese URL	http://www.jssafety.gov.cn/swordcms/jssafety_html/jssafety_theme/static/anjianyichu/-34053899.htm

Brief Introduction: It is stipulated in the Measures that in the cases of outsourcing project of industrial and trading enterprises, the client shall bear the obligation as the main body while the contractor takes the direct responsibility of the operation field work safety. The client should establish management committee or full-time/part-time personnel to supervise the work safety of the outsourcing projects. The committee/personnel shall verify the qualification and work safety conditions of the contractors while taking care of daily safety management. The contractors on the other hand, should establish work safety liability system and management procedures to ensure field work safety. Both the client and the contractor are required to establish emergency response plans and conduct regular drills. In case of severe work safety incidents or more than 2 general work safety incidents (included) of outsourcing projects, the contractor will be notified to the work safety administrative department where it was registered while the client will be included in the work safety black list.

Chinese Name	河北省专职消防队伍建设管理办法
English Translation	Hebei Administrative Measures on Fulltime Fire Brigade Establishment
Issuance Number	河北省人民政府令〔2016〕第2号
Issued By	Hebei People's Government
Issued Date	2016-09-04
Effective Date	2016-11-01
Chinese URL	http://gkml.hubei.gov.cn/auto5472/auto5473/201404/t20140422_497466.html

Brief Introduction: The measures are applicable to establishment and administrative of fulltime fire brigade within the province. The following enterprises and institutes are required to establish fulltime fire brigades. The brigades should be inspected for acceptance by local public security departments before filed at provincial public security department for reference.

- Large-scale nuclear facilities, power plants, civil airports, mail ports and urban railway systems;
- Large-scale enterprises with production and storage of flammable and explosive substances;
- Large-scale warehouses, bases and logistics parks with important combustible materials;
- Other large-scale enterprises with high fire risk that are remote from public fire brigades;
- National key culture relic protection site of ancient architectural complexes that are remote from public fire brigades.

Chinese Name	甘肃省生产安全事故隐患排查治理办法
English Translation	Gansu Measures on Inspection and Treatment of Work Safety Hidden Danger
Issuance Number	甘肃省人民政府令第127号
Issued By	Gansu People's Government
Issued Date	2016-09-07
Effective Date	2016-11-01
Chinese URL	http://www.gansu.gov.cn/art/2016/9/12/art_4827_285810.html

Brief Introduction: The measures defined 24 types of major hidden dangers of work safety. Regarding those enterprises with poor performance in hidden danger inspection and treatment leading to work safety incidents, the work safety supervisory department will include them in the work safety violation database and inform the industry and Commerce administrative departments, financing institutions and the public of their violations.



Chinese Name	辽宁省重大生产安全事故结案批复工作暂行办法
English Translation	Liaoning Interim Measures on Closure Approval of Significant Work Safety Incidents
Issuance Number	辽政发〔2016〕59号
Issued By	Liaoning People's Government
Issued Date	2016-08-26
Effective Date	2016-08-26
Chinese URL	http://www.ykdz.gov.cn/shengwangxinxi/2016-08-30/38788.html

Brief Introduction: It is specified in the Measures that in the cases of significant work safety incidents, the provincial work safety supervisory bureau, public security department, federation of trade unions along with people's procuratorate and relevant specialist will participate in the incident investigation and closure approval. The closure notification will include the requirements on responsibility prosecution and incident prevention measures. And the incident handling situation shall be published to the public upon closure.

Within 1 year after the closure approval, the provincial work safety supervisory bureau will organize rectification assessment regarding the implementation of incident treatment and rectification measures, incident prevention measures as well as present work safety conditions.

Chinese Name	湖南省突发事件预警信息发布管理办法
English Translation	Hunan Administrative Measures on Emergency Early Warning Information Release
Issuance Number	湘政办发[2016]68号
Issued By	General Office of Hunan People's Government
Issued Date	2016-09-05
Effective Date	2016-10-01
Chinese URL	http://www.hunan.gov.cn/2015xxgk/fz/zfwj/szfbgtwj/201609/t20160905_3255202.html

Brief Introduction: Release of emergency early-warning information is the key link in dealing with prevention and reduction of natural disasters and other emergencies. Currently, the provincial information publicity platform is in connection with 23 departments, such as forestry, earthquake and water administration departments. It is vital in casualty and loss prevention during natural disasters.



Chinese Name	山东省水路交通条例
English Translation	Shandong Regulation on Waterway Transportation
Issuance Number	山东省人民代表大会常务委员会公告第153号
Issued By	山东省人民代表大会常务委员会
Issued Date	2016-09-23
Effective Date	2017-01-01
Chinese URL	http://www.moc.gov.cn/st2010/shandong/sd_zhengcefg/201609/t20160930_2094906.html

Brief Introduction: The regulation specified the waterway navigation condition impact assessment procedure and clarified that inland terminal depots must keep sufficient distance from the waterway so that watercraft berth and loading operation would not occupy public water courses. For enterprises engaged in passenger and hazardous cargo transportation, an operation management system should be established and implemented. Meanwhile, waterway transportation emergency response plans should be established and drilled regularly. Moreover, insurances for passenger and watercraft safety as well as pollution prevention are required.

In the regulation, floating bridge weight-bearing boats are considered as watercrafts and submit to the same requirements. The boats should be assigned with professional operators.



Part 3

Interpretation

I. Recommendation Catalogue on the Key Replacements of HCFCs (First Batch) (Draft)

含氢氯氟烃重点替代品推荐目录（第一批）（征求意见稿）

On August 23th, the Ministry of Environmental Protection issued the draft of Recommendation Catalogue on the Key Replacements of HCFCs (First Batch) for public comment. The consultation period ended on September 30th.

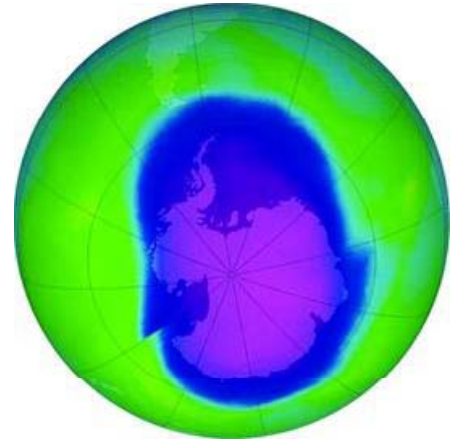
Montreal Protocol specified six controlled ODS, which included CFCs, halon, carbon tetrachloride, TCA, methyl bromide and HCFCs. CFCs, halon, carbon tetrachloride and TCA were phased out in 2010 in China.

HCFCs, which was widely used as refrigerant, foamer and detergent, has the largest usage of DOS among the six controlled ODS mentioned above. China produces, imports and uses the largest amount of HCFCs all over the world.

Montreal Protocol set out the target that 97.5% HCFCs would be phased out before 2030 comparing with 2014 and 2015. To achieve this target, Chinese government issued this draft to direct HCFC's replacements in China in the near future.

This catalogue includes 5 replacements of refrigerants and 5 replacements of foamer. Replaced HCFCs includes R22, HCFC-22, HCFC-142b, HCFC-141b, which are widely used in refrigerating system, water heater, PUF, extrusion EPS and insulation material.

This catalogue was not a compulsory catalogue. Chinese government would release new batch once replacement technology was mature enough.



II. Measure on Filing of EIA Registration Forms of Construction Project (draft)

《建设项目环境影响登记表备案办法(试行)》（征求意见稿）

This draft was put on the official website on Ministry of Environmental Protection for public comments from Sep. 14 to Oct. 14, 2016.

For now, EIA registration forms need to go through four steps: acceptance, examination, disclosure and approval. Once the draft comes into effect, EIA registration forms will only need filing at EPB official websites. Enterprises may print the filing registration forms and receipts online. Examination and approval are no longer required.

III. Interim measure on the Supervision and Administration of the “Three Simultaneities” for Occupational Health at Construction Projects (Revision Draft)

《建设项目职业卫生“三同时”监督管理暂行办法（修订草案送审稿）》

This revision draft was put on the official website on State Administration of Work Safety for public comments from Sep. 28 to Oct. 30, 2016. This revision aims to abolish certain issues relating to administrative approval, and strengthen supervision in process and after the event.

- Abolish clauses relating to administrative approval and enforcement technology agency service, including clauses 4,5,6,7,8,9,10,12,13,15,16,20,21,22,26,28,29,30,31,34. Review and filing at competent authority of pre-assessment of occupational disease hazards (ODH), design of ODH control facility for construction project with serious ODH, as well as completion acceptance check of ODH control facility are no longer required.
- Strengthen responsibility of construction unit. It requires construction unit to control ODH at source.
- Strengthen supervision in process and after the event. It added a chapter of Supervision and Inspection to further clarify the requirements of supervision and inspection of Administration of Work Safety.
- Professionals and technicians play more important role on technical support. Responsible Officer of construction projects should organize professionals and technicians to review pre-assessment of ODH, design of ODH control facility and ODH assessment on control effect, as well as completion acceptance check of ODH control facility.



ESD China Limited

About Us

ESD China Limited (ESD, www.esdchina.com) is a professional environment, energy and engineering service firm. The firm is comprised of highly qualified scientists, engineers and management professionals from North America, Europe, and greater China with high pride of professionalism. We cultivate international and local best practices. In the past decades, we have provided common sense solutions to **Environment+Energy** challenges for leading multinational corporations, governments and international development agencies throughout China and the region.

Globally, we are a member company of Inogen Group (Inogen®, www.inogenet.com), a global corporation owned by environment, energy and sustainability consulting firms originated from the host countries, referred to as Associates. Inogen® Associates lead global environment, health and safety (EHS) management and energy consulting services with proven global expertise, and deliver common sense EHS and energy solutions with local competence beyond the mere brand name. Together, we offer over 4,700 professionals through more than 100 offices worldwide, and have completed numerous projects in over 120 countries.

Our core areas of expertise include soil and groundwater assessment and remediation; energy and industrial engineering, international financing project management, pollution control engineering, socio-environmental impact assessment and industrial environmental, health and safety (EHS) management. Our current services are outlined below:

OUR SERVICES:

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- International Financing Project Management
- Pollution Control Engineering

More information

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